

IC 9-24-19

Chapter 19. Penalty Provisions for Operating a Motor Vehicle With Suspended or Revoked Driving Privileges, Licenses, or Permits

IC 9-24-19-1

Class A infraction

Sec. 1. Except as provided in sections 2 and 3 of this chapter, a person who operates a motor vehicle upon a highway while the person's driving privilege, license, or permit is suspended or revoked commits a Class A infraction.

As added by P.L.32-2000, SEC.1. Amended by P.L.42-2011, SEC.26; P.L.217-2014, SEC.97.

IC 9-24-19-2

Class A misdemeanor; commission within ten years of prior similar infraction

Sec. 2. A person who:

- (1) knows that the person's driving privilege, license, or permit is suspended or revoked; and
- (2) operates a motor vehicle upon a highway less than ten (10) years after the date on which judgment was entered against the person for a prior unrelated violation of section 1 of this chapter, this section, IC 9-1-4-52 (repealed July 1, 1991), or IC 9-24-18-5(a) (repealed July 1, 2000);

commits a Class A misdemeanor.

As added by P.L.32-2000, SEC.1. Amended by P.L.6-2012, SEC.70; P.L.33-2012, SEC.1.

IC 9-24-19-3

Level 6 or Level 5 felony; Class A misdemeanor; commission while under suspension or revocation for offense

Sec. 3. (a) A person who operates a motor vehicle upon a highway when the person knows that the person's driving privilege, license, or permit is suspended or revoked, when the person's suspension or revocation was a result of the person's conviction of an offense (as defined in IC 35-31.5-2-215) commits a Class A misdemeanor.

(b) However, the offense described in subsection (a) is a:

- (1) Level 6 felony if the operation of the motor vehicle results in bodily injury; or
- (2) Level 5 felony if the operation of the motor vehicle results in the death of another person.

As added by P.L.32-2000, SEC.1. Amended by P.L.114-2012, SEC.21; P.L.217-2014, SEC.98.

IC 9-24-19-4

Repealed

(As added by P.L.32-2000, SEC.1. Amended by P.L.158-2013, SEC.157. Repealed by P.L.217-2014, SEC.99.)

IC 9-24-19-5**Repealed**

(As added by P.L.32-2000, SEC.1. Amended by P.L.125-2012, SEC.240; P.L.85-2013, SEC.67. Repealed by P.L.217-2014, SEC.100.)

IC 9-24-19-6**Repealed**

(As added by P.L.32-2000, SEC.1. Amended by P.L.3-2008, SEC.80. Repealed by P.L.125-2012, SEC.241.)

IC 9-24-19-7**Burden of proof of issuance of license or permit**

Sec. 7. In a prosecution under this chapter, the burden is on the defendant to prove by a preponderance of the evidence that the defendant:

- (1) had been issued a driver's license or permit that was valid; or
- (2) was operating a Class B motor driven cycle;

at the time of the alleged offense. However, it is not a defense under subdivision (2) if the defendant was operating the Class B motor driven cycle in violation of IC 9-21-11-12.

As added by P.L.32-2000, SEC.1. Amended by P.L.85-2013, SEC.68; P.L.221-2014, SEC.72.

IC 9-24-19-8**Rebuttable presumption of knowledge of suspension**

Sec. 8. Service by the bureau of motor vehicles of a notice of an order or an order suspending or revoking a person's driving privileges by mailing the notice or order by first class mail to the defendant under this chapter at the last address shown for the defendant in the records of the bureau of motor vehicles establishes a rebuttable presumption that the defendant knows that the person's driving privileges are suspended.

As added by P.L.32-2000, SEC.1.